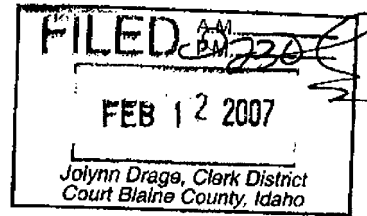


## **EXHIBIT A**

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**Attorneys for Defendant Seward & Kissel, LLP**

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE

HOWARD HOUSTON,

Plaintiff,

vs.

SEWARD & KISSEL, LLP, and  
JOHN HUNTING WHITTIER,

Defendants.

Case No. CV 2006-717

**ORDER GRANTING  
MOTION TO DISMISS  
PURSUANT TO I.R.C.P. 12(b)(2)**

The Motion to Dismiss of Defendant Seward & Kissel, LLP, having come on regularly for hearing on the 29th day of January, 2007; the Plaintiff being represented by his attorneys of record,

Robert S. Banks, Jr., of the firm Banks Law Office, P.C., and Ned Williamson; the Defendant Seward & Kissel, LLP, being represented by its attorneys of record, Julia Tarver Mason, of the firm Paul, Weiss, Rifkind, Wharton & Garrison LLP, and Rex Blackburn, of the firm Blackburn & Jones LLP; and the Court having considered the memoranda and affidavits filed herein, and having heard oral argument and being fully advised in the premises,

IT IS HEREBY ORDERED that:

1. The Plaintiff's action against Seward & Kissel, LLP, be dismissed for lack of personal jurisdiction; and
2. In light of the Court's finding that it lacks personal jurisdiction over Seward & Kissel, LLP, the Court need not address Seward & Kissel, LLP's motion to dismiss pursuant to Idaho Rule of Civil Procedure 12(b)(6) (failure to state a claim for which relief can be granted).

DATED this 12 day of February, 2007.

  
\_\_\_\_\_  
ROBERT J. ELGEE, DISTRICT JUDGE

**CLERK'S CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 12 day of February, 2007, I served a true and correct copy of the foregoing ORDER GRANTING MOTION TO DISMISS PURSUANT TO I.R.C.P. 12(b)(2) upon each of the following individuals by causing the same to be delivered by the method and to the address indicated below:

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115 Second Avenue South  
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JOLYNN DRAGE, CLERK

By /s/  
DEPUTY CLERK